

SUPPORTING DOCUMENT NO. 2

CLEANUP AND ABATEMENT ORDER
NO. 92-01 AND ADDENDA 1-4

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

CLEANUP AND ABATEMENT ORDER NO. 92-01

SANTA FE PACIFIC PIPELINE PARTNERS, L.P.
SHELL OIL COMPANY
MOBIL OIL CORPORATION
POWERINE OIL COMPANY

MISSION VALLEY TERMINAL
9950 SAN DIEGO MISSION ROAD
SAN DIEGO, CALIFORNIA
SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

1. Santa Fe Pacific Pipeline Partners, L.P. owns property located at 9950 San Diego Mission Road in San Diego, hereinafter the Mission Valley Terminal. Attachment 1 to this Order is a location map for the site.
2. Santa Fe Pacific Pipeline owns and operates aboveground petroleum storage tanks at this location and also leases to the following companies which also own and/or operate aboveground petroleum storage tanks at the facility: Shell Oil Company, Mobil Oil Corporation, and Powerine Oil Company.
3. On March 14 and 20, April 25, and October 7, 1991, Regional Board staff inspected the Mission Valley Terminal pursuant to authority under section 25270.5 (b) of Chapter 6.67, Division 20 of the California Health and Safety Code (Aboveground Petroleum Storage Act) and Section 13267 of the California Water Code. These inspections were conducted to verify compliance with the operator's Spill Prevention Control and Countermeasure (SPCC) Plans and to determine if a monitoring program is necessary to detect releases to groundwaters, surface waters and/or sensitive ecosystems.
4. According to information received by Regional Board staff which includes inspection findings, storage statements, and SPCC Plans for the Mission Valley Terminal, products that are stored at the Mission Valley Terminal include both leaded and unleaded gasoline additives, and diesel.

5. Santa Fe Pacific Pipeline reports that it commenced operations at the Mission Valley Terminal in 1963 and the approximate aboveground petroleum storage capacity at the terminal for tanks it owns and/or operates is 18,690,000 gallons. The oldest tanks are approximately 30 years old.
6. Shell Oil Company reports it owns and operates aboveground petroleum storage tanks with an approximate capacity of 4,550,000 gallons at the Mission Valley Terminal and the oldest tanks are approximately 30 years old.
7. Mobil Oil Corporation reports it owns and operates an aboveground petroleum storage tank at the Mission Valley Terminal which is approximately 29 years old and has an estimated capacity of 1,130,000 gallons.
8. Powerine Oil Company reports that the aboveground petroleum storage tanks it owns at the Mission Valley Terminal, which are currently leased to Buck Petroleum Company, have a capacity of approximately 1,680,000 gallons. There are no records for the age of the tanks, but it is known that they are at least 18 years old.
9. On February 6 and July 10, 1991, this Regional Board office received reports prepared by Environmental Science & Engineering, Inc. for Shell Oil Company dated January 22 and June 20, 1991 entitled "Fourth Quarter 1990 Groundwater Monitoring Report for the Shell Mission Valley Fuel Distribution Terminal" and "Second Quarter 1991 Groundwater Monitoring Report for the Shell Mission Valley Fuel Distribution Terminal". These reports indicate that a number of groundwater monitoring wells at the Mission Valley Terminal have been monitored since 1988 and as much as 0.5 foot of free petroleum hydrocarbon product was measured on the groundwater surface in January 1989. Groundwater samples collected from wells without free product have indicated as much as 400 ug/L benzene, 60 ug/L toluene, 280 ug/L ethylbenzene, and 540 ug/L xylenes.
10. On July 15, August 28, and November 12, 1991, the Regional Board received reports prepared by Applied Environmental Services for Santa Fe Pacific Pipeline Partners, L.P. dated June 12, July 29, and October 25, 1991, respectively. Each of these reports are entitled "Quarterly Groundwater Monitoring Report" and report groundwater analytical results for sampling in May, June, and September 1991. More than one foot of free product was observed in a groundwater monitoring well in May, June, and September while benzene was reported at 3.8 ug/L, 4.2 ug/L, and 4.9 ug/L for May, June and

September, respectively, for another monitoring well. The greatest reported concentrations for toluene, ethylbenzene, and xylenes have been 0.8 ug/L, 6.5 ug/L, and 10 ug/L, respectively.

11. On August 20, 1991, the Regional Board received a report dated August 12, 1991 and entitled "Site Characterization Report" which was prepared by Alton Geoscience, Inc. for Mobil Oil Corporation. This report provides analytical results for soil and groundwater samples collected from borings and groundwater monitoring wells that were installed in July 1991 near aboveground tanks, a loading rack, and vapor return lines at the Mission Valley Terminal. The analytical results indicate as much as 160 mg/Kg total petroleum hydrocarbons was present in soils at a depth of 8.5 feet, and benzene was present in groundwater at a concentration of 260 ug/L. The highest concentration reported for toluene was 65 ug/L, ethylbenzene was 150 ug/L, and xylenes were 1200 ug/L.
12. The groundwater monitoring wells which were sampled in the reports above are located throughout the Mission Valley Terminal and the elevated petroleum hydrocarbon constituent concentrations in the groundwater indicate that the pollutants are pervasive throughout the site.
13. The petroleum hydrocarbons which were detected in the groundwater underlying the Mission Valley Terminal include benzene, toluene, ethylbenzene, and xylenes. Gasoline often contains 0.12-3.50 percent by weight of benzene, 2.73-21.8 percent by weight of toluene, 0.36-2.86 percent by weight ethylbenzene, and 3.22-8.31 percent by weight of xylenes.
14. Buck Petroleum Company has a petroleum thruput agreement with Powerine Oil Company which owns 3 aboveground tanks at the Mission Valley Terminal. Under the terms of the agreement between Powerine Oil Company and Buck Petroleum Company, Powerine Oil Company has the responsibility to maintain the aboveground tanks. Based on the terms of the agreement and documentation that no surface releases from facility operations have occurred due to Buck Petroleum Company's activities, Buck Petroleum Company is not named as a discharger to this Cleanup and Abatement Order No. 92-01.
15. Based on the findings above, the Regional Board finds and concludes:
 - a. Santa Fe Pacific Pipeline, Shell Oil Company, Mobil Oil Corporation, and Powerine Oil Company operate and maintain aboveground petroleum storage tanks at the

Mission Valley Terminal.

- b. Groundwater quality data indicates a release to the subsurface environment has occurred and has caused a pollution of the waters of the State in violation of State Board and Regional Board requirements and policies.
 - c. Santa Fe Pacific Pipeline, Shell Oil Company, Mobil Oil Corporation, and Powerline Oil Company are named to this Cleanup and Abatement Order No. 92-01 and are hereinafter referred to as the dischargers pursuant to California Water Code Section 13304.
16. The "Comprehensive Water Quality Control Plan Report, San Diego Basin (9)" (hereinafter Basin Plan) was adopted by this Regional Board on March 17, 1975 and approved by the State Water Resources Control Board (State Board) on March 20, 1975. Subsequent revisions to the Basin Plan have also been adopted by the Regional Board and approved by the State Board.
17. The Mission Valley Terminal at 9950 San Diego Mission Road in San Diego is located in the Mission San Diego Hydrologic Subarea (903.11) of the Lower San Diego Hydrologic Area (903.10) of the San Diego Hydrologic Unit (903), as described in the Basin Plan.
18. The following designated beneficial uses for the surface waters in the Mission San Diego Hydrologic Subarea are established in the Basin Plan:
- a. Agricultural Supply
 - b. Industrial Service Supply
 - c. Water Contact Recreation
 - d. Non-Contact Water Recreation
 - e. Warm Freshwater Habitat
 - f. Wildlife Habitat
 - g. Preservation of Rare and Endangered Species
19. The following potential and designated beneficial uses for the groundwater in the Mission San Diego Hydrologic Subarea are established in the Basin Plan:
- a. Municipal and Domestic Supply
 - b. Agricultural Supply
 - c. Industrial Service Supply
 - d. Groundwater Recharge
20. The concentrations of benzene present in the groundwater exceed the Maximum Contaminant Level (MCL) of 1 ug/L for

drinking water as established by the U.S. Environmental Protection Agency and the California Department of Health Services. Municipal and domestic supply are designated beneficial uses of the groundwater in the Mission San Diego Hydrologic Subarea.

21. The quality of the waters of the Mission San Diego Hydrologic Subarea is subject to the provisions of the State Water Resources Control Board's Resolution 68-16, "Statement of Policy with Respect to Maintaining High Quality Waters in California". Under the terms and conditions of Resolution 68-16, the quality of the waters of the Mission San Diego Hydrologic Subarea must be maintained unless it is demonstrated that a decrease in water quality:

- (1) will be consistent with maximum benefit to the people of the State,
- (2) will not unreasonably affect beneficial uses, and
- (3) will not result in water quality less than prescribed in the Basin Plan or other adopted policies.

22. The enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Administrative Code.

IT IS HEREBY ORDERED THAT, pursuant to Section 13304 of the California Water Code, the dischargers shall comply with the following Directives:

1. No later than July 1, 1992 the dischargers shall provide to the Regional Board Executive Officer a technical report with the results of a complete and comprehensive site assessment for the Mission Valley Terminal. The report must address any contamination that has migrated off-site and must include the following information:
 - a. A site map showing the location of all former and present aboveground and underground storage tank systems, site structures, all borings and monitoring wells, and all adjacent land uses.
 - b. A discussion of the products currently stored in the storage tank systems and all other products that were historically stored regardless of volume.

- c. Boring logs and monitoring well construction details for all borings and monitoring wells that are installed on-site or off-site. All boring and monitoring well logs must bear the stamp of or be signed by the registered geologist responsible for the logs.
- d. A description of the local geology, the site geology, and site soil types, including a discussion of known or probable contaminant migration routes such as underground utility trenches.
- e. The depth to first groundwater, groundwater gradient and flow direction, and free product thickness, where it is detected, in any of the wells.
- f. A description of the soil and groundwater sampling protocol employed, including:
 - i. equipment used
 - ii. decontamination between borings and sampling
 - iii. well purging and well development procedures
 - iv. sample collection and preservation methods
 - v. sample management, including copies of the chain of custody forms
 - vi. quality assurance/quality control, including laboratory certification for the analytical methods specified and a copy of the laboratory analytical results
- g. Sufficient analytical data from soil and groundwater samples to identify the contaminants and their concentrations and extent in the subsurface in both the vertical and horizontal directions. This includes the extent of the petroleum hydrocarbon contamination in both the soil and groundwater, both on-site and off-site. Analyses of soil and groundwater samples must address both constituents that have been historically stored and that are currently stored on-site, such as leaded gasoline, additives, diesel, etc. Samples must be submitted to a laboratory certified by the State of California for the analyses requested.
- h. A summary table of the analytical data from the soil and groundwater samples collected. The analytical methods must be identified for each sample, and each sample's depth and location must be noted with the analytical results.

- i. Site maps showing the horizontal and vertical extent of soil and groundwater contamination. These maps must include cross sections of the site which show the known or probable contaminant source(s), subsurface lithology, groundwater table, and sample results.
 - j. A description of groundwater supply wells and surface waters within 1/2 mile of the site.
2. In the interim period prior to complete implementation of remedial actions, the dischargers shall immediately immobilize and recover all free product from the affected groundwater zone, and immobilize the dissolved product in the soil and groundwater to prevent off-site migration of either free or dissolved product. Per Directive No. 6 of this Order, quarterly progress reports to the Regional Board Executive Officer must document these activities.
3. No later than September 1, 1992 the dischargers shall submit to the Regional Board Executive Officer a corrective action plan for the cleanup of the affected subsurface soils and groundwater underlying the Mission Valley Terminal. The corrective action plan must address contamination which may extend off-site, and must include a time schedule for implementation. The proposed treatment system should employ best available technology to achieve one of the following cleanup levels for the petroleum hydrocarbon contamination in the subsurface soils and groundwater.
 - a. Treatment and/or removal of the contaminated soil and groundwater to naturally occurring background concentrations for the constituents associated with the substances that were released to the subsurface, such as gasoline and diesel.
 - b. Treatment and/or removal of soil and groundwater to achieve petroleum hydrocarbon concentrations less stringent than those specified in (a), however, the dischargers must demonstrate to the Regional Board's and the San Diego County Health Department's satisfaction that the alternative site-specific concentrations proposed by the dischargers to remain in the affected subsurface following treatment would:
 - i. Be consistent with State Board Resolution 68-16 noted in Finding No. 21 of this Order,

- ii. Not exceed applicable water quality standards, such as Maximum Contaminant Levels (MCLs) for drinking water as established by the U.S. Environmental Protection Agency and the California State Department of Health Services, in order to protect the beneficial uses listed in Finding Nos. 18 and 19 of this Order,
 - iii. Pose minimal threat to public health and safety and the environment.
- 4. No later than November 1, 1992 or within 30 days of approval by the Executive Officer, whichever comes first, the corrective action plan and its time schedule, required by Directive No. 3 above, must be implemented by the dischargers.
- 5. In addition to the site assessment report and the corrective action plan required by Directive Nos. 1 and 3, respectively, the dischargers shall submit quarterly progress reports to the Regional Board Executive Officer until the site has been adequately mitigated and this Order is rescinded.
- 6. The quarterly reports shall contain the following information:
 - a. A site map showing the location of all borings and monitoring wells, the hydrologic contours and groundwater gradient, and the boundaries of the free and dissolved product plumes.
 - b. The groundwater levels and free product thickness, if any, in all of the wells.
 - c. The laboratory results of analyses of groundwater samples collected from all monitoring wells, including all quality assurance/quality control documentation.
 - d. The quantity of free product recovered from the ground water for the quarter in gallons, the total to date, and its ultimate disposal point.
 - e. The quantity of groundwater extracted for the quarter, the total to date, and its ultimate disposal point.
 - f. A description of the remedial actions employed by the dischargers and the status of assessment and remediation of the site.

The quarterly progress reports shall be submitted to the Regional Board Executive Officer in accordance with the following schedule:

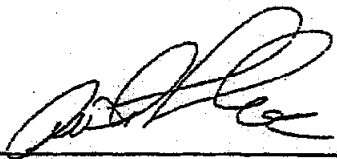
<u>Reporting Period</u>	<u>Date Due</u>
January, February, March	April 30
April, May, June	July 30
July, August, September	October 30
October, November, December	January 30

7. Disposal of any contaminated groundwater and/or soil associated with the site must be conducted in accordance with all applicable local, state, and federal regulations.
8. The dischargers shall obtain all necessary permits for assessment and remedial activities associated with the cleanup at the site.
9. A copy of all reports required in the Directives above must also be submitted to the Hazardous Materials Management Division of the San Diego County Department of Health as well as to this Regional Board office.
10. All work and reports which require geologic or engineering evaluations and/or judgements must be performed and prepared under the direction of an appropriately registered or certified professional pursuant to Sections 6735 and 7835 of the Business and Professional Code.
11. No later than January 1, 1996, the dischargers must demonstrate to the Regional Board Executive Officer's satisfaction that the final cleanup levels, determined pursuant to Directive No. 3, have been achieved throughout the soil and groundwater contamination zones. The dischargers shall continue to monitor the groundwater and submit quarterly monitoring reports in accordance with Directive No. 6 of this Order for a period of two years. If at any time during this post-cleanup monitoring the data indicate that the final cleanup levels have not been maintained, the dischargers shall immediately resume appropriate remedial cleanup actions.

NOTIFICATIONS

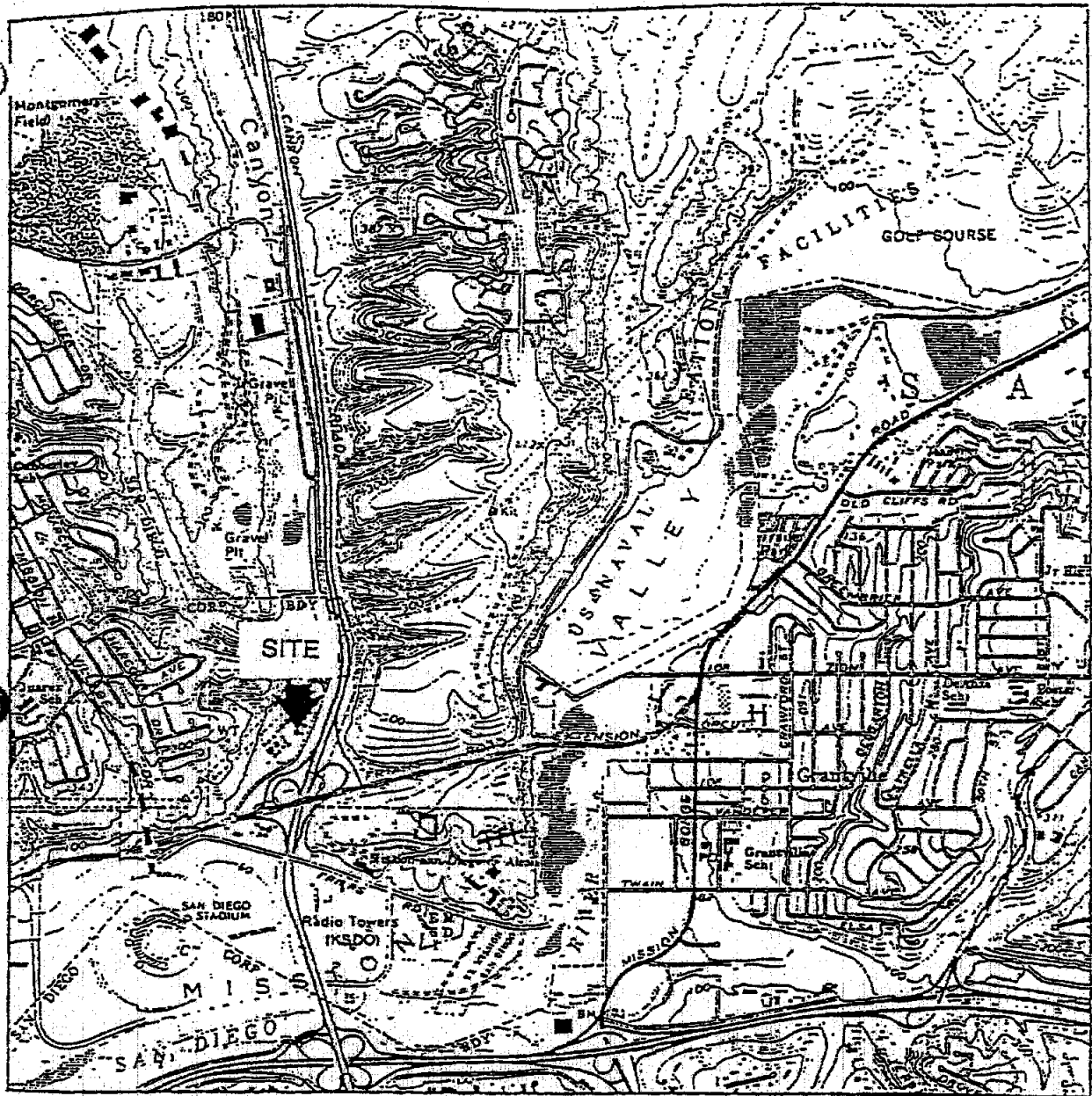
1. Pursuant to authority under Section 25270.9 of the California Health and Safety Code and Section 13304 of the California Water Code, reasonable expenses incurred by Regional Board staff for cleanup and abatement oversight work, required by this Order, is subject to cost recovery.
2. Under Section 13350 of the California Water Code, any party who intentionally or negligently violates any Cleanup and Abatement Order issued by a Regional Board is subject to administrative civil liability imposed by a Regional Board in an amount which shall not exceed five thousand dollars (\$5000) for each day the Cleanup and Abatement Order is violated.

Ordered by: _____


Arthur L. Coe
Executive Officer
Regional Water Quality Control Board
San Diego Region

Date: January 3, 1992

Revised by Errata Sheet: April 6, 1992



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MISSION VALLEY TERMINAL

9950 San Diego Mission Road
San Diego, California

SOURCE:

United States Geological Survey
7.5 minute Topographic Map:
La Mesa Quadrangle
Photorevised 1975

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ADDENDUM NO. 1 TO
CLEANUP AND ABATEMENT ORDER NO. 92-01

SANTA FE PACIFIC PIPELINE PARTNERS, L.P.
SHELL OIL COMPANY
MOBIL OIL CORPORATION
POWERINE OIL COMPANY

MISSION VALLEY TERMINAL
9950 SAN DIEGO MISSION ROAD
SAN DIEGO, CALIFORNIA
SAN DIEGO COUNTY

The California Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

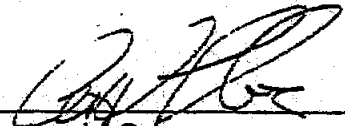
1. On January 3, 1992, the Regional Board Executive Officer issued Cleanup and Abatement Order No. 92-01 to Santa Fe Pacific Pipeline Partners, L.P., Shell Oil Company, Mobil Oil Corporation, and Powerine Oil Company in response to contamination in the soil and groundwater underlying the Mission Valley Terminal bulk storage facility located at 9950 San Diego Mission Road in San Diego.
2. By letter dated April 29, 1994, Powerine Oil Company has requested a five year extension of the due date for achieving final cleanup levels, required in Directive No. 11 of Cleanup and Abatement Order No. 92-01. Groundwater modeling information was provided indicating that significant groundwater contamination will still exist after 10 years of treatment with the proposed corrective action plan.

IT IS HEREBY ORDERED that:

1. Directive No. 11 of Cleanup and Abatement Order No. 92-01 is modified to extend the final cleanup due date by three years, and will read as follows:

"No later than January 1, 1999, the dischargers must demonstrate to the Regional Board Executive Officer's satisfaction that the final cleanup levels, . . ."

Ordered by:


Arthur L. Coe
Executive Officer

Dated: May 9, 1994

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ADDENDUM NO. 2 TO
CLEANUP AND ABATEMENT ORDER NO. 92-01

EQUIVA SERVICES LLC, KINDER-MORGAN ENERGY PARTNERS, L.P. o/p
SFPF, L.P., MOBIL OIL CORPORATION, POWERINE OIL COMPANY,
SANTA FE PACIFIC PIPELINE PARTNERS, SHELL OIL CORPORATION

MISSION VALLEY TERMINAL
9950 & 9966 SAN DIEGO MISSION ROAD
SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

1. On January 3, 1992, the Regional Board issued Cleanup and Abatement Order No. 92-01 to Santa Fe Pacific Pipeline Partners, L.P., Shell Oil Company, Mobil Oil Corporation, and Powerine Oil Company in response to the unauthorized discharge of petroleum hydrocarbon to soil and groundwater underlying the Mission Valley Terminal bulk storage facility located at 9950 San Diego Mission Road in San Diego. The Order included a final cleanup date of January 1, 1996.
2. On May 9, 1994, Addendum No. 1 to Cleanup and Abatement Order No. 92-01 was issued extending the final cleanup date to January 1, 1999.
3. By letter dated April 16, 1998, Santa Fe Pacific Partners, L.P. notified the Regional Board of relinquishment of nearly all interests of Santa Fe Pacific Pipelines, Inc. and Santa Fe Pacific Pipeline Partners, L.P. in SFPF, L.P. to Kinder Morgan Energy Partners, L.P. and its affiliates (hereinafter referred to as Kinder Morgan).
4. Texaco Oil Company-San Diego Mission Valley Terminal operates an aboveground petroleum storage tank facility on property located at 9966 San Diego Mission Road. Texaco and Shell Oil Corp. facilities at the Mission Valley Terminal recently merged and were renamed Equiva Services LLC.
5. On August 5, 1999, representatives of Equiva confirmed the presence of phase separated petroleum hydrocarbon (free product) and high concentrations of dissolved petroleum hydrocarbon in groundwater underlying the Texaco facility. Methyl tert-butyl ether (MTBE) and other gasoline-type oxygenate additives including: tertiary amyl methyl ether (TAME), di-isopropyl ether (DIPE), ethyl tertiary butyl ether (ETBE), and tertiary butyl alcohol (TBA) were also detected in ground water. The presence of these petroleum hydrocarbons in soil and groundwater constitute a discharge as defined in California Code of Regulations Title 22, Division 4.5, Chapter 11, Section 66260.10.

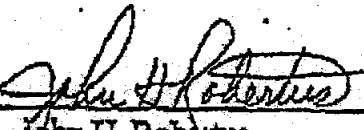
August 27, 1999

6. The subsurface discharge from the Texaco facility is either co-mingled with or closely associated with the groundwater contamination from the other Mission Valley Terminal facilities. Therefore, incorporating the Texaco site into a unified investigation and cleanup as required by this Order is justified.
7. This action is an Order to enforce the laws and regulations administered by the Regional Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code Section (CWC) §13304, the Responsible Parties, or their agents, successors, or assigns, shall take remedial action to cleanup and abate the effects of the discharge, as described in the above findings:

1. The following responsible parties for the Mission Valley Terminal shall be added as Dischargers to this Order:
 - a. Kinder Morgan Energy Partners, L.P. o/p SFP, L.P., as owner of petroleum pipelines and above ground tanks at the Mission Valley Terminal.
 - b. Equiva Services LLC as owner of the Texaco Oil Facility above ground tanks at the Mission Valley Terminal.
 - c. Equiva Services LLC as owner of the Shell Oil Facility above ground tanks at the Mission Valley Terminal.
2. All previous owner/operators named in Cleanup and Abatement Order No. 92-01 shall remain as responsible parties.

Ordered by:


John H. Robertus
Executive Officer

Dated: August 27, 1999

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ADDENDUM NO. 3 TO
CLEANUP AND ABATEMENT ORDER NO. 92-01

KINDER-MORGAN ENERGY PARTNERS, L.P. o/p SFPP, L.P.,
MOBIL OIL CORPORATION, POWERINE OIL COMPANY,
SANTA FE PACIFIC PIPELINE PARTNERS, LP, SHELL OIL COMPANY,
TEXACO REFINING AND MARKETING INC., EQUILON ENTERPRISES LLC,
EXXONMOBIL OIL CORPORATION

MISSION VALLEY TERMINAL
9950 & 9966 SAN DIEGO MISSION ROAD
SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:


1. The following parties are currently named dischargers on Cleanup and Abatement Order (CAO) No. 92-01 for the Mission Valley Terminal facility: Kinder Morgan Energy Partners, L.P. o/p SFPP, LP; Equiva Services LLC; Mobil Oil Corporation; Shell Oil Company; Powerine Oil Company; and Santa Fe Pacific Pipeline Partners, LP.
2. On November 30, 1999, Exxon and Mobil Oil Corporation merged to form ExxonMobil Oil Corporation (ExxonMobil). ExxonMobil currently owns the aboveground storage tanks formerly owned by Mobil at the Mission Valley Terminal. Kinder Morgan Energy Partners, LP o/p SFPP, LP, currently operates the tanks owned by ExxonMobil Corporation.
3. Texaco Refining and Marketing Inc. formerly owned and operated aboveground storage tanks at the Mission Valley Terminal.
4. Equilon Enterprises LLC is a joint venture formed by Shell Oil Company and Texaco Refining and Marketing Inc. Equilon-Enterprises LLC owns and operates the aboveground storage tank facilities at the Mission Valley Terminal formerly owned by Texaco Refining and Marketing Inc. and Shell Oil Company.
5. Equiva Services LLC is a shared-services company jointly owned by Equilon Enterprises LLC and Motiva Enterprises LLC. Equiva Services LLC is not the result of a merger between Texaco and Shell Oil Corporation as stated in finding 4 of CAO 92-01 Addendum No. 2. Equiva Services LLC does not own or operate any aboveground tanks at the Mission Valley Terminal. Thus, Equiva Services LLC was mistakenly named a discharger in CAO 92-01 Addendum 2.

February 19, 2002

6. This action is an Order to enforce the laws and regulations administered by the Regional Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED, pursuant to section 13304 of the California Water Code:

1. The Dischargers, or their agents, successors, or assigns, shall take remedial action to cleanup and abate the effects of discharges of petroleum hydrocarbon waste from the Mission Valley Terminal.
2. Texaco Refining and Marketing Inc., Equilon Enterprises LLC, and ExxonMobil Oil Corporation are added as dischargers to Cleanup and Abatement Order No. 92-01.
3. All previously named dischargers remain except for Equiva Services LLC, and Mobil Oil Corporation.
4. The dischargers shall notify the Regional Board in writing of any change in site occupancy or change in owner or operator of the aboveground storage tanks at the Mission Valley Terminal within 30 days of the change. The notification shall include the date of the change and the name of the new owner/operator.

Ordered by: 

John H. Robertus
Executive Officer

Dated: February 19, 2002

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ADDENDUM NO. 4 TO
CLEANUP AND ABATEMENT ORDER NO. 92-01**

**KINDER-MORGAN ENERGY PARTNERS, LP o/p SFPP, LP, POWERINE OIL COMPANY,
SANTA FE PACIFIC PIPELINE PARTNERS, LP, SHELL OIL COMPANY, TEXACO
REFINING AND MARKETING INC., EQUILON ENTERPRISES LLC,
EXXONMOBIL OIL CORPORATION**

**MISSION VALLEY TERMINAL
9950 & 9966 SAN DIEGO MISSION ROAD
SAN DIEGO COUNTY**

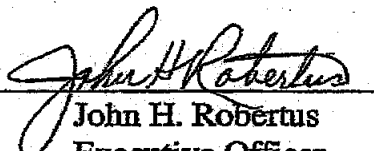
The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

1. The dischargers failed to achieve final cleanup by the date of January 1, 1999, specified in Cleanup and Abatement Order No. 92-01 Addendum No. 1.
2. The January 1, 1999 final cleanup date was technically unachievable. Groundwater modeling information provided in 1994 indicated that significant groundwater contamination would still exist after 10 years of cleanup under the corrective action plan in effect at the time.
3. Technically feasible cleanup dates will be proposed in the Summary Report required by Section D of Time Schedule Order No. R9-2002-0042 that is due to the Regional Board February 1, 2004. At that time new cleanup dates will be determined.
4. This action is an Order to enforce the laws and regulations administered by the Regional Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED, pursuant to section 13304 of the California Water Code:

1. Directive No. 11 is deleted from Cleanup and Abatement Order 92-01; and
2. Addendum No. 1 to Cleanup and Abatement Order No. 92-01 is rescinded.

Ordered by:


John H. Robertus
Executive Officer

Dated: March 20, 2002